

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ALABAMA
SOUTHERN DIVISION

VERNANDEZ McCURDY,

Plaintiff,

v.

CHATHAM STEEL CORPORATION,

Defendant.

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CIVIL ACTION NO.

99-AR-0216-S

FILED
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U.S. DISTRICT COURT
N.D. OF ALABAMA

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ENTERED
APR 19 2000

AMENDMENT TO MEMORANDUM OPINION OF APRIL 18, 2000

It having been pointed out to the court by plaintiff that on page 11 of its memorandum opinion of April 18, 2000, Steven Ellis was incorrectly named in place of John Cullwell, the employee whose job as loading foreman is one of the two vacancies at issue, the memorandum opinion is **AMENDED** to substitute the name "John Cullwell" for the name "Steven Ellis."

Second, the court has been informed that it "may be in error" with regard to the phrase: "[T]he court has not been directed to any personnel documentation regarding this promotion." This phrase refers to the Inventory Control position which was filled by Russell Drummond. If plaintiff is worried that the court did not recognize that plaintiff had presented evidence that the decision was officially made on November 10, 1997, the court apologizes for

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any ambiguities in its statement. It assumed that because it had, in the immediately preceding paragraphs, referred to November 10, 1997, as the date that the promotions became "official," "final," and "effective," and because the lack of any formal documentation other than the November 10, 1997 personnel actions weighed heavily in plaintiff's favor, this statement would be properly understood as referring to defendant's lack of documentation that the promotion decisions became "official" any earlier than November 10, 1997.

Thus, the court **AMENDS** its statement on page 12 to read: "The court has not been directed to any personnel documentation regarding this promotion, other than the document which establishes that the promotion 'officially' occurred on November 10, 1997."

DONE this 19th day of April, 2000.



WILLIAM M. ACKER, JR.
UNITED STATES DISTRICT JUDGE